

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**



MARTIN LUTHER KING JR. FEDERAL BLDG. & U.S. COURTHOUSE
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WILLIAM J. MARTINI
JUDGE

LETTER OPINION

January 14, 2008

Vincent M. Giblin
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Metro Corporate Campus One
99 Wood Avenue South
Suite 307
Iselin, NJ 08830

(Attorney for Petitioner)

**RE: New Jersey Building Laborers' Statewide Benefit Funds and the
Trustees Thereof v. Molly Construction Co., et al.,
Civ. No. 07-2567 (WJM)**

Dear Counsel:

The Court writes this letter to remind the parties that they must appear through attorneys if they wish to litigate this action.

On January 3, 2008, this Court ordered Respondent SBW Inc. to comply with any subpoenas that Petitioner issues in this case. On January 11, 2008, this Court received a fax from William Patterson of SBW Inc. contesting the Court's January 3, 2008, order. As of the date of issuance of this letter, no attorney has appeared on behalf of SBW Inc.

SBW has not cognizably appeared in this action. Corporations may only appear in litigation through an attorney. Simbraw, Inc. v. United States, 367 F.2d 373, 373 (3d Cir. 1966). Without such an appearance, corporations may not litigate their rights in a court of law. Id. SBW having made no such appearance, it may not yet assert its rights in this Court. Accordingly, SBW's fax is disregarded.

s/ William J. Martini
William J. Martini, U.S.D.J.